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**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

KANE, TEMPLE & MYERS PLLC d/b/a  
The702Firm,  
Plaintiff,

vs.

HARRIS LAW FIRM, LLP,  
Defendant.

CASE NO. 2:21-cv-01364-CDS-DJA

**STIPULATION AND ~~PROPOSED~~  
ORDER TO EXTEND DISCOVERY**

**(Second Request)**

Plaintiff, KANE, TEMPLE & MYERS PLLC d/b/a The702Firm (“Plaintiff”), and Defendant, HARRIS LAW FIRM, LLP (“Defendant”) (collectively the “parties”), file this Stipulation and Proposed Order to Extend Discovery in this case by sixty (60) days under Local Rules IA 6-1 and 26-3. This is the second request that the Court grant this stipulation to allow for the completion of discovery.

**FACTUAL BACKGROUND**

Plaintiff initiated this matter on July 20, 2021 [ECF No. 1]. The Court entered the Scheduling Order on December 7, 2021 [ECF No. 13]. The Court granted the parties’ first stipulation to extend discovery on March 4, 2022 [ECF No. 17], extending the deadlines as follows:

- 1 1. Factual discovery cutoff: July 4, 2022
- 2 2. Disclosure of expert witnesses: August 2, 2022
- 3 3. Disclosure of rebuttal expert witnesses: September 1, 2022
- 4 4. Expert discovery cutoff: September 29, 2022
- 5 5. Dispositive motions deadline: October 31, 2022

6 **COMPLETED DISCOVERY**

7 The parties have exchanged initial disclosures. Plaintiff and Defendant both served their  
8 first sets of written discovery. The parties responded to all sets of written discovery and  
9 Defendant has produced documents. Plaintiff has not yet produced documents in response to  
10 Defendant's discovery requests.

11 Plaintiff served a subpoena for documents on a third party, who produced responsive  
12 documents in March of 2022.

13 The parties have agreed upon and submitted a Stipulated Confidentiality Agreement and  
14 Protective Order which was granted by this Court on March 2, 2022 [ECF 18].

15 **REMAINING DISCOVERY**

16 Both parties anticipate taking depositions of key witnesses and experts. Both parties  
17 anticipate propounding additional written discovery and possibly service of subpoenas on  
18 additional third parties.

19 **GOOD CAUSE TO EXTEND DISCOVERY**

20 The parties have been diligent in conducting discovery in this matter. Both parties have  
21 served written discovery on the other and Plaintiff has served third party discovery. The parties  
22 have recently had meaningful discussions regarding settlement of this matter and believe they  
23 may be close to a resolution. In order to concentrate on settlement discussions, the parties have  
24 agreed an additional 60 days should provide sufficient time to complete the remaining  
25 discovery should a resolution not occur shortly. The requested additional time takes into  
26 account the ongoing and meaningful good faith settlement discussions, the current state of  
27 discovery, the anticipation of conducting meet and confers in the future to resolve any  
28 discovery disputes (particularly in regard to Plaintiff's discovery responses, about which the

parties were set to meet and confer when settlement discussions began), the anticipation and possible need for third party discovery, the need to find mutually agreeable deposition dates, and the possible need for retaining expert witnesses.

**PROPOSED NEW DISCOVERY DATES**

1. Factual discovery cutoff: September 2, 2022
2. Disclosure of expert witnesses: October 3, 2022
3. Disclosure of rebuttal expert witnesses: October 31, 2022
4. Expert discovery cutoff: November 28, 2022
5. Dispositive motions deadline: December 30, 2022

**IT IS SO STIPULATED.**

DATED this 6<sup>th</sup> day of June 2022.

DATED this 6<sup>th</sup> day of June 2022.

/S/ CHRISTINE LEBRON-DYKEMAN

/S/ BETHANY L. RABE

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*Attorneys for Plaintiff*

IT IS SO ORDERED.



DANIEL J. ALBREGTS  
UNITED STATES MAGISTRATE JUDGE

DATED: June 7, 2022

**CERTIFICATE OF SERVICE**

I hereby certify that on the 6th day of June, 2022, a true and correct copy of the foregoing **STIPULATION AND PROPOSED ORDER TO EXTEND DISCOVERY** was filed electronically via the Court's CM/ECF system. Notice of filing will be served on all parties by operation of the Court's EM/ECF system, and parties may access this filing through the Court's CM/ECF system.

/s/ Cynthia L. Ney  
An employee of Greenberg Traurig